

R E M A R K S

The original claims (1 - 34) have been replaced by new claims 35 - 42, all directed to a metal pipe. Since this Preliminary Amendment does not increase either the total number of claims or the number of independent claims, no additional fee is necessary.

New claim 35 recites that a portion for generation of spring back force for abutting the first and second edge portions is formed on each of the second, third and fourth flat surfaces of the claimed pipe. Japanese Laid-Open Patent Application No. 1-162522 (JP '522, cited in the parent application of which the present case is a division), describes spring back portions formed only on each of two adjacent surfaces. The recital of spring back portions on three surfaces is therefore submitted to distinguish claim 35 patentably over JP '522, which is believed to be the reference (among those cited in the parent case and already made of record in an Information Disclosure Statement herein) most pertinent to the claims presented in this Preliminary Amendment.

New claims 36 - 40 are submitted to be allowable by virtue of their dependence on claim 35.

New claim 41 recites that portions for generation of spring back force are generated by means of convex portions formed on the second and fourth surfaces, while claim 42 recites that portions for generation of spring back force are generated by means of line convex portions formed on the second and fourth surfaces. These features, again, are not disclosed in JP '522 or in the other

references of record, and are submitted to distinguish patentably thereover.

Entry of this Preliminary Amendment, and favorable action, are accordingly courteously requested.

Respectfully,

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I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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